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2 B. (1) The Board shall develop a Plan of Operation, in consultation with the advisory
3 committee, and submit it to the Commissioner in accordance with the requirements of
4 this subsection. The Board shall make the Plan of Operation open to public
5 inspection and provide an opportunity for public input prior to submitting the Plan of
6 Operation to the Commissioner.
- 7 (2) The Board shall submit to the Commissioner a Plan of Operation for the Exchange
8 and any amendments necessary or suitable to assure the fair, reasonable, and
9 equitable administration of the Plan of Operation. The Commissioner shall review
10 and approve or disapprove the Plan of Operation within ninety (90) days after its
11 submission or resubmission. The Commissioner may disapprove the Plan of
12 Operation only if the Commissioner determines that it does not comply with the
13 requirements of this Act, the Federal Act, or Chapter 58 of the General Statutes. If
14 the Commissioner disapproves the Plan of Operation, the Commissioner shall identify
15 the specific provision or provisions upon which the disapproval is based and shall
16 provide the Board an opportunity to revise and resubmit the Plan of Operation. If the
17 Board fails to submit a suitable Plan of Operation within 180 days after the
18 appointment of the Board, or at any time thereafter fails to submit needed
19 amendments as required by State or federal law to the Plan of Operation, the
20 Commissioner shall adopt temporary rules necessary or advisable to effectuate the
21 provisions of this section. The rules shall continue in force until modified by the
22 Commissioner or superseded by a Plan of Operation submitted by the Board and
23 approved by the Commissioner. [NOTE: CONTENTS OF PLAN OF OPERATION
24 SUBJECT TO CHANGE PENDING RESULTS OF NC HEALTH BENEFIT
25 EXCHANGE STUDY, DUE FEB. 2011; RFP #12-001065]
- 26 (3) The Plan of Operation shall:
- 27 (a) Establish procedures and policies for operation of the Exchange, including
28 at least the following:
- 29 (i) Process by which the Board sets policies and conducts business,
30 including bylaws.
- 31 (ii) Process for determining qualified health plan participation in the
32 Exchange, consistent with the requirements of Section 7 of this
33 Act.
- 34 (iii) Process for determining the role of the Exchange in collecting and
35 distributing premiums for qualified employers. In making this
36 determination, the Exchange shall consult with small employers,
37 and consider the added value, costs, and operational requirements
38 for the Exchange to accomplish this.
- 39 (iv) The role and compensation of insurance agents and brokers in
40 assisting qualified individuals and employers with plan selection,
41 enrollment, and other relevant activities through the Exchange
42 consistent with the requirements of Section 6 of this Act and the
43 rules adopted by the Secretary pursuant to section 1312(e) of the
44 Federal Act. In considering and developing the role and
45 compensation, the Board shall consult with the Department of